



# Council Agenda Report

To: Mayor Jennings and the Honorable Members of the City Council

Prepared by: Paul L. Adams, Director of Parks & Recreation

Approved by: Katie Lichtig, City Manager

Date prepared: October 1, 2002 Meeting date: October 28, 2002

Subject: Request For Waiver Of Permit Fees For The Odyssey School's Use of Bluffs Park

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**RECOMMENDED ACTION:** Waive fees for the attached permit application from Odyssey School for the use of Malibu Bluffs Park.

**FISCAL IMPACT:** The Odyssey School has indicated that they cannot afford to continue to pay the permit fees. There are no additional direct costs involved with this use of City facilities, as the Department will not be providing direct supervision beyond that already assigned to the park.

**DISCUSSION:** The Odyssey Program School is a small private, non-profit primary school in Las Flores Canyon, just outside the city limits. The staff of the school would like to bring their students to the Bluffs Park on a number of Fridays during the current school year for physical education and sports activities. Because the size of the group would exceed twenty and because it is an organization that is holding the activities, City policy requires a permit to be completed and a fee to be paid. According to the fee schedule approved by Council, the cost to use the ball field would be \$35 per two hours. A total permit cost of \$735 over the course of the school year.

Dr. Steven Mecham, Director of the school, has contacted the Department of Parks & Recreation requesting a waiver of the fees on the basis of his school's non-profit status. A copy of his letter is attached to this report.

The field use fee does not have a discounted rate for non-profit organizations. Staff does not have the authority to waive fees for facility use except for other government agencies or for Department sponsored events. This permit does not fall into either of these categories.

The proposed use does not interfere with any department uses of the facility and, because it is within school hours, is unlikely to interfere with any other youth serving uses. In addition, Dr. Mecham has agreed to modify his schedule in the event that the City has need of the fields on a day that his program is scheduled, with reasonable notice.

Staff is recommending this waiver because this use is seen as a valid public use that is afforded at no cost to many other schools each year that do not serve Malibu children. This use will create minimal impacts on the facility. Past experience with this program indicates that facilities will be left clean, creating no additional maintenance cost and that they will require minimal supervision from the park staff. By completing the city permit process, the School will provide indemnification for the City for their use of the facilities and will insure that scheduling conflicts can be avoided.

ALTERNATIVES: Deny permit fee waiver.

STAFF FOLLOW-UP: If the fee waiver is approved, staff will issue the permit.

ATTACHMENTS: Permit application  
Letter of request of fee waiver